

EXHIBIT 6

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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AWILDA GOMEZ,

No. 07 Civ.9296 (CLB)

Plaintiff,

ECF Case

-against-

VILLAGE OF SLEEPY HOLLOW, DETECTIVE
JOSE QUINOY, IN HIS INDIVIDUAL AND
OFFICIAL CAPACITY, POLICE OFFICER
ELDRYK EBEL IN HIS INDIVIDUAL AND
OFFICIAL CAPACITY, POLICE OFFICER
MIKE GASKER IN HIS INDIVIDUAL AND
OFFICIAL CAPACITY, LIEUTENANT BARRY
CAMPBELL IN HIS INDIVIDUAL AND
OFFICIAL CAPACITY, LIEUTENANT GABRIEL
HAYES IN HIS INDIVIDUAL AND OFFICIAL
CAPACITY, SERGEANT WOOD IN HIS
INDIVIDUAL AND OFFICE CAPACITY, CHIEF
OF POLICE JIMMY WARREN IN HIS
INDIVIDUAL AND OFFICIAL CAPACITY, AND
POLICE OFFICERS JOHN DOES 1-4,

**AFFIDAVIT IN
OPPOSITION**

Defendants.

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STATE OF NEW YORK)
COUNTY OF WESTCHESTER) ss.:

AWILDA GOMEZ, being duly sworn, deposes and says:

1. I am the Plaintiff in the above entitled matter and submit this Affidavit in Opposition to Defendants' Motion to Dismiss on the ground of Qualified Immunity.

2. My attorneys were recently served with Sleepy Hollow Police Department records which I had an opportunity to review. There are inaccuracies in said records as to what

occurred on October 17, 2006 and October 18, 2006.

3. I arrived at the Sleepy Hollow Police Headquarters within seconds of my husband, Mario Gomez. Defendants Quinoy and Police Officer Gasko (s/h/a Gasker) were already outside the building and appeared to be waiting for him. Defendant Police Officer Ebel was also present.

4. All three officers began hitting and punching my husband, Mario Gomez.

5. I yelled for them to stop and then ran into the building to the desk officer, Defendant Lt. Hayes, and asked for his help. He looked at me and did nothing.

6. I ran out, again yelling for them to stop. They did not do so. They were shooting him with electricity.

7. I again ran back into the station a second time to ask for help, but did not receive any help from Lt. Hayes.

8. I went back outside and went over to Defendant Jose Quinoy who I have known as a friend for a long time. I put my hand on his arm and asked him to stop.

9. Quinoy did not say anything to me. Instead, he grabbed me by my jacket, picked me up and threw me to the ground. I fell partly against my car and partly on the ground. I was thrown against my car, with my knees on the ground.

10. They shot electricity into my husband many times.

11. Police Officers from the Tarrytown Police Department arrived and eventually calmed everyone down. My husband was handcuffed and placed into a police car.

12. I then went into the police station to find out what was happening with my husband. My daughter Haydee and her friend Jenny had arrived and they were with me. Because I was in pain, after approximately 15 minutes, my daughter took me to the Phelps Memorial Hospital Emergency Room.

13. I sat in the Police Station for almost one hour before I went to the hospital. At no time during this hour did any officer approach me to arrest me.

14. After I was discharged from the emergency room at approximately 3:30 a.m., I returned to the Police Department to pick up my husband's car. I was told by Defendant Sergeant Hood to come back the next day.

15. I was treated at Phelps Memorial Hospital for a bruised rib and given medication. I was at the emergency room for approximately three hours before I was discharged.

16. Sergeant Hood also asked me if I wanted to make a complaint. When I answered "yes", I heard the voice of Jose Quinoy behind closed doors. I heard him say "open the door". He then appeared, came over to me in an intimidating manner, placed my arms behind my back, told me I was under arrest, and

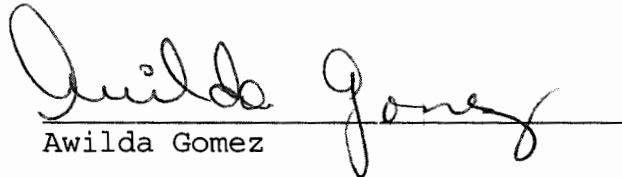
handcuffed me.

16. It was Jose Quinoy who arrested me, not Police Officer Gasko as the records produced by Defendants falsely indicate.

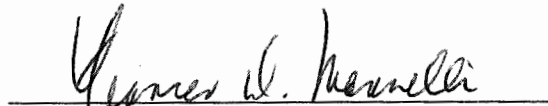
17. Jose Quinoy told me that he had to arrest me because I went to the hospital and he had to cover himself.

18. It was Jose Quinoy who filled out the Miranda sheet and had me sign it. He also dictated a statement which I signed.

19. Jose Quinoy kept me at the Police Department for approximately one hour and, upon my release, gave me my husband's property in a plastic bag.


Awilda Gomez

Sworn to before me this
25th day of June, 2008.


Notary Public

